

Jody Struck, SBN 121097
Harish Tangri, SBN 325752
HAAPALA, THOMPSON & ABERN, LLP
1939 Harrison Street, Suite 800
Oakland, California 94612
Tel: 510-763-2324
Fax: 510-273-8534
E-mail: jstruck@htalaw.com

Attorneys for Defendants COUNTY OF ALAMEDA, LAUREL MANFREDI,
JON PETTIGREW, MICHELLE FINDLEY, MELISSA RYAN, RENEE CAGE,
TEOFILO MARTINEZ-GOMEZ, and MICHAEL FURNESS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – OAKLAND

E.S., a minor, by and through her Guardian,
LINDA SHANKS,

Case No.: 4:20-cv-04299-SBA

Plaintiff,

STIPULATION TO FILE PLAINTIFF’S
FIRST AMENDED COMPLAINT AND
VACATE TRIAL AND RELATED DATES;
~~[PROPOSED]~~ ORDER *AS MODIFIED*

vs.

COUNTY OF ALAMEDA, a public entity;
LAUREL MANFREDI, an individual; JON
PETTIGREW, an individual; MICHELLE
FINDLEY, an individual; MELISSA RYAN,
an individual; RENEE CAGE, an individual;
TEOFILO MARTINEZ-GOMEZ, an
individual; MICHAEL FURNESS, an
individual; and DOES 1 through 50, inclusive,

Defendants.

Plaintiff E.S., a minor, by and through her Guardian, LINDA SHANKS (“Plaintiff”) and
Defendants COUNTY OF ALAMEDA, LAUREL MANFREDI, JON PETTIGREW,
MICHELLE FINDLEY, MELISSA RYAN, RENEE CAGE, and MICHAEL FURNESS
 (“Defendants”), by and through their respective attorneys of record, stipulate as follows:

1. Whereas Plaintiff has filed a motion for leave to file her First Amended
Complaint, which is currently pending with the Court [Dkt. # 79-79.4];

2. Whereas Plaintiff seeks to add additional claims and defendants in the First
Amended Complaint;

3. Whereas Plaintiff is currently a minor and is not time-barred from bringing additional claims; and

4. Whereas Defendants do not oppose Plaintiff's motion on condition that the trial and related dates be vacated;

5. It is hereby stipulated that Plaintiff may file a First Amended Complaint, in the form attached hereto as Exhibit A, on or before July thereby rendering Plaintiff's pending motion moot;

6. It is further stipulated that the current trial date and all related cut-off dates be vacated.

7. The parties request a new Scheduling Conference to take place in July 2022 after the Early Settlement Conference.

Dated: June 15, 2022

HAAPALA THOMPSON & ABERN, LLP

By: /s/ Jody Struck
Jody Struck, Esq.
Attorneys for Defendants

Dated: June 15, 2022

The Law Offices of Shawn A. McMillan, APC

By: /s/ Shawn A. McMillan
Shawn A. McMillan, Esq.
Stephen D. Daner, Esq.
Evan D. Pullman, Esq.
Attorneys for Plaintiff

ORDER

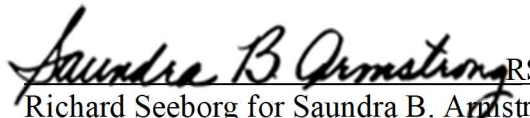
The Court having considered the Parties' Stipulation to File Plaintiff's First Amended Complaint and Vacate Trial and Related Dates, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

By no later than June 24, 2002, Plaintiff shall file a First Amended Complaint in the form attached as Exhibit A to the Motion for Leave to File First Amended Complaint, Dkt. 79-3. Plaintiff's motion for leave to file a First Amended Complaint, Dkt. 79, is DENIED as moot.

The trial date and related deadlines are vacated. The dates will be reset, as necessary, following the settlement conference scheduled for July 1, 2022. The parties shall appear for a further case management conference on July 28, 2022, at 3:00 p.m., for this purpose. The previously filed stipulation to continue the trial and related dates, Dkt. 78, is denied as moot.

Dated: June 17, 2022


Richard Seeborg for Saundra B. Armstrong
United States District Judge

Haapala, Thompson & Abern LLP
Attorneys At Law
Park Plaza Building
1939 Harrison St., Suite 800
Oakland, California 94612
Telephone: 510-763-2324
Facsimile: 510-273-8534